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2 **BILL NO. S-96-10-02 (AS AMENDED)**

3 **SPECIAL ORDINANCE NO. S-** 75-96

4 **AN ORDINANCE APPROVING THE ADDENDUM**
5 **TO EXTEND THE CONTRACT FOR MUNICIPAL**
6 **YARD WASTE PICK-UP SERVICE ZONE 1 - (CITY**
7 **WIDE) BETWEEN BROWNING-FERRIS**
8 **INDUSTRIES OF INDIANA, INC. AND THE CITY OF**
9 **FORT WAYNE, IN CONNECTION WITH THE**
10 **BOARD OF PUBLIC WORKS.**

11 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
12 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

13 **SECTION 1.** That the Addendum resulting in a change order to
14 the Contract for Municipal Yard Waste Pick-Up Service by and between
15 BROWNING-FERRIS INDUSTRIES OF INDIANA, INC. and the City of Fort
16 Wayne, Indiana, in connection with the Board of Public Works, for:

17 extending the yard waste collection period to end the last Friday in

18 the month of November;

19 the terms of the service rates are:

20 \$2,555 per day + \$13.20 per ton disposal

21 all as more particularly set forth in said Addendum to the Contract, which is on file
22 in the Office of the Board of Public Works and, is by reference incorporated
23 herein, made a part hereof, and is hereby in all things ratified, confirmed and
24 approved. Two (2) copies of said Addendum to the Contract are on file with the
25 Office of the City Clerk and made available for public inspection, according to law.
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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

John N. Crawford

Council Member



ADDENDUM

This Addendum is made to that certain Yard Waste Pickup Service Contract entered into the 29th day of June, 1994, taking effect on January 1, 1995, (the "Contract"), between the City of Fort Wayne ("City") and Browning-Ferris Industries of Indiana, Inc. ("BFI").

Whereas the City and BFI entered into a written Contract for the provision of yard waste collection services to residents of the City;

Whereas the City and BFI desire by this Addendum to enter into a change order which change order would extend the service period under the contract and adjust the rates accordingly.

Now, Therefore, in consideration of the mutual agreements herein contained, the parties hereby agree as follows:

The Contract shall be amended to extend the yard waste collection period to end the last Friday falling in the month of November.

The Contract shall be amended to adjust the payment method and service rates as described in Exhibit A, attached hereto and made a part hereof.

All other terms and conditions of the Contract shall remain in full force and effect.

AGREED AND ACCEPTED this 25 day of Sept., 1996.

CITY OF FORT WAYNE

BY: Ainda Buschle

Title: _____

SUBJECT TO APPROVAL BY THE
COMMON COUNCIL OF THE CITY
OF FORT WAYNE

BROWNING-FERRIS INDUSTRIES
OF INDIANA, INC.

By: Steven J. Rusinowitch

Title: DISTRICT VICE-PRESIDENT

Ainda Buschle
James P. McLaughlin
John Stafford
9-25-96

AN ORDINANCE APPROVING THE ADDENDUM
TO EXTEND THE CONTRACT FOR MUNICIPAL
YARD WASTE PICK-UP SERVICE ZONE 1 -
(CITY WIDE) BETWEEN BROWNING-FERRIS
INDUSTRIES OF INDIANA, INC. AND THE CITY
OF FORT WAYNE, IN CONNECTION WITH THE
BOARD OF PUBLIC WORKS.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Addendum ~~to extend~~ the Contract for
Municipal Yard Waste Pick-Up Service by and between BROWNING-FERRIS
INDUSTRIES OF INDIANA, INC. and the City of Fort Wayne, Indiana, in
connection with the Board of Public Works, for:

extending the yard waste collection period to end the last Friday in

the month of November;

the terms of the service rates are:

\$2,555 per day + \$13.20 per ton disposal

all as more particularly set forth in said Addendum to the Contract, which is on file
in the Office of the Board of Public Works and, is by reference incorporated herein,
made a part hereof, and is hereby in all things ratified, confirmed and approved.
Two (2) copies of said Addendum to the Contract are on file with the Office of the
City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and
after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCauley, City Attorney

Att. A

CITY OF FORT WAYNE

SERVICE PERIOD

PRESENT SERVICE PERIOD: APRIL 1 - OCTOBER 18
(Monday closest to April 1st and Friday closest to October 15th)

PROPOSED SERVICE PERIOD: OCTOBER 19 - NOVEMBER 29

PAYMENT METHOD

PRESENT: PER TON COLLECTED
(Includes labor, trucks, variable expenses and disposal)

PROPOSED: PER DAY FIXED COSTS + DISPOSAL
(Includes labor, trucks, variable expenses and disposal)

SERVICE RATE

PRESENT: \$35.30 PER TON

PROPOSED: \$2,555 PER DAY + \$13.20 PER TON DISPOSAL

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE SOLID WASTE MANAGEMENT

SYNOPSIS OF ORDINANCE APPROVES AND RATIFIES THE ADDENDUM TO THE CONTRACT FOR MUNICIPAL YARD WASTE PICK-UP. ADDENDUM EXTENDS YARD WASTE PICK-UP COLLECTION PERIOD TO THE LAST FRIDAY IN NOVEMBER AND SPECIFIES THE SERVICE RATE TO BE \$2,555 PER DAY +\$13.20 PER TON DISPOSAL.

EFFECT OF PASSAGE ADDENDUM TO CONTRACT IS APPROVED.

EFFECT OF NON-PASSAGE YARD WASTE COLLECTION PERIOD IS NOT EXTENDED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

Read the first time in full and on motion by Crawford,
and duly adopted, read the second time by title and referred to the
Committee on Finance (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne,, Indiana, on _____, 19____, the _____ day of
_____, M., E.S.T.

DATED: 10-8-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Crawford,
and duly adopted, placed on its passage. PASSED POST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT:
TOTAL VOTES	8			1
BENDER	✓			
CRAWFORD	✓			
EDMONDS				✓
HALL	✓			
HAYHURST	✓			
HENRY	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			

DATED: 10-22-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 75-96
on the 22nd day of October, 1996

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

DD Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 23rd day of October, 1996,
at the hour of 10:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of October,
1996, at the hour of 6:00 o'clock P M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

BILL NO. S-96-10-02 (as amended)

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the addendum
to extend the contract for Municipal Yard Waste Pick-Up Service Zone 1 -
(City Wide) between Browning-Ferris Industries of Indiana, Inc. and the
City of Fort Wayne, in connection with the Board of Public Works

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

John N. Crawford

Thomas C. Henry

Thomas E. Hefner

Clarence Capron

Richard Hall

William J. Murray

James E. Henry

Q. S. Schmitt

DATED: 10-22-96

Sandra E. Kennedy
City Clerk



resulting in a change
order to the contract





The City of Fort Wayne

Paul Helmke, Mayor

Fort Wayne City Clerk
Sandra Kennedy

October 10, 1996

Dear Sandy:

Following is an addition to the language on the Prior Approval for an extension of the yard waste collection times for 1996 that was introduced on Tuesday October 8. This language was prepared by Council Attorney Joe Bonahoom and concurred with by R. David Boyer Associate City Attorney.

“Whereas the City and BFI desire by this Addendum to enter into^A change order which change order would extend the service period under the contract and adjust the rates accordingly.”

Sincerely,

Tom Loraine, CHMM
Solid Waste Manager